FAX NO. 5127031250 OCT 0 4 2004 P. OCT-01-2004 FRI (01:27 PM CONLEY ROSE & TAYON) PTO/SB/31 (02-01) Approved for use through 10/31/2002. QMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE and to respond to a collection of information unless it displays a valid OMB control number. NOTICE OF APPEAL CERTIFICATE OF MAILING Application Number 09/957,468 I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first-Filing Date 09/20/2001 class muil in an envelope addressed to: Commissioner for Potents, P.O. Box 1450, Alexandria, VA 22313, or via In re Application of Nikoonahad et al. facsimile on the date indicated below. Group Art Unit 2877 Gamela Derik **Examiner Name** Hoa Q. Pham Qciobel J. 2004 Dole Atty Docket Number 5589-02305 Title METHODS AND SYSTEMS FOR DETERMINING A CRITICAL DIMENSION, A PRESENCE OF DEFECTS, AND A THIN FILM CHARACTERISTIC OF A SPECIMEN Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$_320.00 Applicant claims small cutity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Commissioner has already been authorized to charge fees in the application to a Deposit Account. I have enclosed a duplicate copy of this sheet. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-3268/5589-02305. I have enclosed a duplicate copy of this sheet. A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. Respectfully submitted, White Ann Marie Mewherter, Reg. No. 50,484 Agent for Applicant(s) 10/07/1004 AFORGONILEY ROSE P.C. OVER A CONTROL P.Q. Box 684908 01 FC: 1401 Austin, TX 78768-4908 (512) 476-1400 BEST AVAILABLE COPY Date: October 1, 2004

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